

Sector 8

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Applicant Number	09/866,060
		Filing Date	May 25, 2001
		First Named Inventor	James W. Whittaker
		Group Art Unit	1633
		Examiner Name	
Total Number of Pages in this Submission	9	Attorney Docket Number	HME/8134.003

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit(s)/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Part(s)/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawings (one sheet) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition To Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Declaration and Power of Attorney
Remarks:		

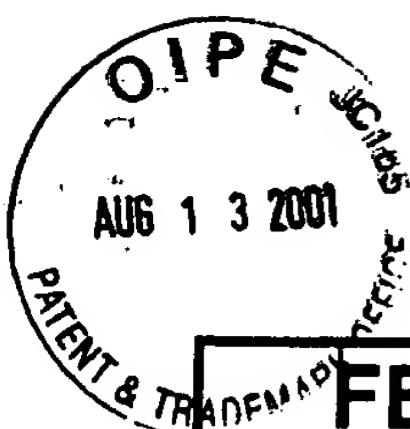
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Howard M. Eisenberg, Esq. 1600 ODS Tower, 601 SW Second Ave Portland, OR 97204-3157
Signature	
Date	August 10, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.

Type or print name	Howard Eisenberg		
Signature		Date	August 10, 2001



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

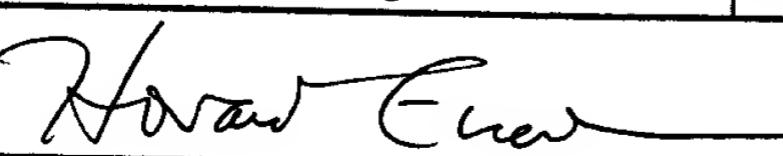
TOTAL AMOUNT OF PAYMENT **\$65**

Complete If Known	
Application Number	09/866,060
Filing Date	May 25, 2001
First Named Inventor	James W. Whittaker
Examiner Name	
Group/ Art Unit	1633
Attorney Docket No.	HME/8134.003

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)				
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge the indicated fees and credit any over payments to: Deposit Account Number 50-1773 Deposit Account Name Howard Eisenberg, Esq.				3. ADDITIONAL FEES Large Entity Small Entity Fee Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$) Code (\$)				
2. <input checked="" type="checkbox"/> Payment Enclosed <input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other				105	130	205	65 Surcharge - late filing fee or oath	65
				127	50	227	25 Surcharge-late provisional filing fee or cover sheet	
				139	130	139	130 Non-English specification	
				147	2,520	147	2,520 For filing a request for reexamination	
				112	920*	112	920* Requesting publication of SIR prior to Examiner action	
				113	1840*	113	1840* Requesting publication of SIR after Examiner action	
				115	110	215	55 Extension for reply within first month	
				116	390	216	195 Extension for reply within second month	
				117	890	217	445 Extension for reply within third month	
				118	1,390	218	695 Extension for reply within fourth month	
				128	1,890	228	945 Extension for reply within fifth month	
				119	310	219	155 Notice of Appeal	
				120	310	220	155 Filing a brief in support of an appeal	
				121	270	221	135 Request for oral hearing	
				138	1,510	138	1,510 Petition to institute a public use proceeding	
				140	110	240	55 Petition to revive - unavoidable	
				141	1,240	241	620 Petition to revive - unintentional	
				142	1,240	242	620 Utility issue fee (or reissue)	
				143	440	243	220 Design issue fee	
				144	600	244	300 Plant issue fee	
				122	130	122	130 Petitions to the Commissioner	
				123	50	123	50 Petitions related to provisional applications	
				126	240	126	240 Submission of Information Disclosure Statement	
				581	40	581	40 Recording each patent assignment per property (times number of properties)	
				146	710	246	355 Filing a submission after final rejection (37 C.F.R. 1.129(a))	
				149	710	249	355 For each additional invention to be examined (37 C.F.R. 1.129(b))	
				169	900	169	900 Request for Expedited Examination of a Design Application	
				Other (specify)				
				SUBTOTAL (2) <input type="text"/>			* Reduced by Basic Filing Fee Paid	SUBTOTAL (3) <input type="text"/> \$65

SUBMITTED BY

Complete (if applicable)

Name (print type)	Howard M. Eisenberg	Registration No.	36,789	Telephone	(503) 227-5631
Signature			Date	August 10, 2001	



Atty Doc. No. HME/8134.003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

In re the Application of :
James W. Whittaker and Mei M. Whittaker : Group Art Unit: 1633

Serial No. 09/866,060 : Examiner:

Filed: May 25, 2001 : Date: August 10, 2001

For a Patent for :
EXPRESSION AND PURIFICATION OF :
METRONIDAZOLE

TRANSMITTAL OF MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Applicants submit herewith the following:

1. A copy of Notice to File Missing Parts of Application.
2. Executed Declaration and Power of Attorney.
3. Credit card authorization for \$65 for the surcharge according to 37 C.F.R.
§1.16(e)

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-1773.

Respectfully submitted,

Howard M. Eisenberg
Reg. No. 36,789
601 S.W. 2nd Avenue, Suite 1600
Portland, OR 97204
(503) 227-5631

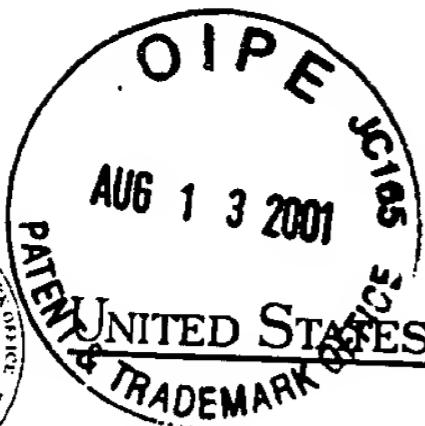


CERTIFICATE OF MAILING

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Dated: August 10, 2001


Howard Eisenberg
Howard Eisenberg



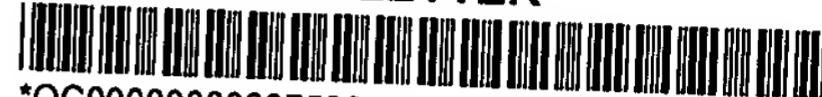
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/866,060	05/25/2001	James W. Whittaker	HME/8134.003

CONFIRMATION NO. 4178

FORMALITIES LETTER



OC00000006375234

Howard M. Eisenberg, Esq.
Suite 1600
601 S.W. Second Avenue
Portland, OR 97204

Date Mailed: 08/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/15/2001 BSAYASI1 00000055 09866060

01 FC:205

FILED UNDER 37 CFR 1.53(b)

65.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE